

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

HINDS COUNTY, MISSISSIPPI, on behalf of  
itself and all other similarly situated entities,

V.

WACHOVIA BANK, N.A., et al.

**Judge Berman**  
SUMMONS IN A CIVIL ACTION

CASE NUMBER:

**08 CV 2516**

TO: (Name and address of Defendant)

XL LIFE INSURANCE & ANNUITY COMPANY  
20 N. Martingale Road, Suite 200  
Schaumburg, IL 60173-2415

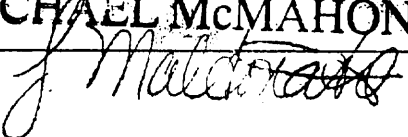
**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

SERCARZ & RIOPELLE, LLP  
152 W. 57TH STREET  
NEW YORK, NY 10019

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

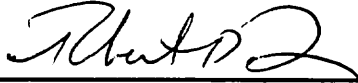


(By) DEPUTY CLERK

**MAR 13 2008**

DATE

AO 440 (Rev. DC - September 2003) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 03-27-08 @ 10:55 am	
NAME OF SERVER ( <i>PRINT</i> ) Robert D. Fairbanks	TITLE Private Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): <u>by serving David G. Castano, Senior Vice President/General Counsel,</u> <u>authorized to accept. Service was completed at 20 N. Martingale Road,</u> <u>Suite 200, Schaumburg, IL 60173.</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>03-27-08</u> <div style="text-align: center; margin-top: 5px;">Date</div>	 _____ <div style="text-align: center; margin-top: 5px;">Signature of Server</div>	
_____ <div style="text-align: center; margin-top: 5px;">Address of Server</div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.